

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard E. Durkot et al. Art Unit : 1745
Serial No. : 08/905,254 Examiner : Monique Wills
Filed : August 1, 1997
Title : ZINC ELECTRODE PARTICLE FORM

Office of Petitions
Commissioner for Patents
Washington, D.C. 20231

PETITION TO WITHDRAW

Applicants hereby petition under § 1.313(b)(5) for the withdrawal of this application from issue to permit consideration of an Information Disclosure Statement filed in a continuing application. The issue fee was paid on August 30, 2000, and this application is scheduled to issue on November 7, 2000 as patent number 6,143,447.

The continuing application claiming priority under 35 U.S.C. § 120 from this application is being filed on the same day as this petition as a continued prosecution application. As set forth in MPEP 609 B(4), the filing of a petition under § 1.313(b)(5) is sufficient to waive the requirement that an application under 37 CFR 1.53(d) be filed before payment of the issue fee.

Please charge the petition fee required by 1.17(i) to Deposit Account No. 06-1050.
Please apply any other charges or credits to Deposit Account No. 06-1050.

RECEIVED

OCT 31 2000

OFFICE OF PETITIONS

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

October 30, 2000

Date of Transmission

Signature

Sherry L. Hunt

Typed or Printed Name of Person Signing Certificate

Applicant : Richard E. Durkot et al.
Serial No. : 08/905,254
Filed : August 1, 1997
Page : 2

Attorney's Docket No.: 08935-018001 / M-4697

Respectfully submitted,

Date: October 30, 2000


Robert C. Nabinger
Reg. No. 33,431

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
20172016.doc

RECEIVED
OCT 31 2000
OFFICE OF PETITIONS